App.F.IX-4]

1925

File No. 42-25

Previous References. (Courts)

Serial Nos. 1–4

Later references.
Police III-25 (9-17)
1184-30, 1-26.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. four

Part B for October 1925

SUBJECT

Copy of note no 362-T dt 20-7-25 from the Govt of India Foreign and Political Deptt framing rules for the seizure of property that may form the subject of an enquiry or of any proceedings in court.

No P 1360-9 dt 3-9-25

From Regr Chief Courts
Gg & Police
Dnrs of Distts

Forwards for information copy of the note referred to above.

Manavasamy Iyengar
17/10/25

G. R. S. III—1] 1925.6

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 42-25

FILE HEADING.

Rules under the Indian Extradition Act re the seizure of property that may form the subject of an enquiry or of any proceeding in court

From The Secy to the Resident

No. 6394/205-15 Dated 30.7.25. Received 3.8.25

Diary No. 532	Enclos. 1	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards for information a copy of note no 362-I dt 20.7.25 from the govt of India Foreign and political dept regarding rules for the seizure of property that may form the subject of an enquiry or of any proceeding in court.

NOTES AND ORDERS.

Send with a draft &c

Draft acknowledging may be appd.

5/8/25

Whether similar provision may be made in Mysore is a point to be considered

Ltd Secy

Secy 6/8

2) Such a provision is necessary to be introduced in Mysore

3) Draft may be appd

Draft note & order is appd

The fm G. of I. may be informed accordingly & the papers returned

Transferred.

Secy 7.8

Secy 7.8

The introduction of a similar law in Mysore, a Note may be prepared.

NOTES—First Sheet.

241/8.8

Sl. No. 26]

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat.

Requisition for papers.

Section Cons—

A

B

Filed

Deposit No.

File No. 263-43

Serial No. 1-4

To be put up with Diary No. 4277 of 1944

Signature C. G. Vajramma

Branch Protection

Section Ext

Date 8.12.1944

WD 0380—GPB—1,000 books of 100 leaves each—20-8-42

Serial No

Expenses in connection with the scope of a draft under the part of the Convention

15/8

Organisation 1925

4) Secy. A draft note is drafted. It seems that it is not sufficient to forward copy of Govt of India note to the G.G. offices Govts of Sts and the Res. Ruling Chiefs instead of issuing a general note. An alternative draft is also submitted. After issue of these drafts the file will be resubmitted with a note as required in para 3 of approved

The Rest Draft has been separated for issue 13/8/25

5) Notification to appr. Printed copies of the same may be obtained & distributed as suggested above.

13/8/25

Secy

Some compilers note. Secy. 4801 8/8-8-25

Notifies the note of Govt of India referred to in cl 1 for general information.

6) Printed Copies have been received. May the draft forwarding the copies issue? After issue a note will be put up with reference to para (3)

27/8/25

7) 3/8

28/8

Note—Contn. Sheet

5 32

Serial No. 4

To the Regr Chief Court
Gs of Appeals
Dms of Distts.
Nop 1360-9 dy 3-9-25

Forwards for information a copy of Noln No 362 I dy 20-7-25 of the Govt of India framing a rule under Sec 22 of the Indian Extradition Act XV of 1903 re Seizure of property by the investigation officers.

8) Results with reference to para (3) above.

9) Under Chief Court's Noln dy 23-7-1878 all Criminal processes of whatsoever description issued by the Courts in Portion India have to be acted upon and executed by all magistrates and police officers in Mysore"

10) The expression "processes of whatsoever description" includes processes affecting property (Vide para 11 of page 12 - Criminal Appendix)

11) Section 94 of the Criminal Procedure code contemplates production of documents ~~property~~ or other things. It is not clear whether they can be seized. Under section 98, power is given to search houses and take possession of any property. It is submitted that there is ~~power to seize property if the~~ sections 94, and 98 are read together, Hence it seems that no rules are necessary

10) Please bring up on 16/9

Page 12 (General Rules for Criminal Vol I)

Not to be done with Receipts

and thus power can, it seems, be exercised in executing process issued by Br Indian Courts.

12/9/25
Asst
14/9
76

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

532

III

OFFICE OF THE RESIDENT IN MYSORE AUG. 19

Bangalore, 30 July 1925

POLITICAL AND LEGISLATIVE DEPARTMENT PROTECTION BRANCH

No. 6394 Encls. 1
205-1904.

ds 42-25-1 Pol. 141

GENL. & REV. SECTT. D. 30. JUL 1925 Q. D. SECTION

A copy of the marginally* noted notification is forwarded with compliments, to the Chief Secretary to the Government of H. H. the Maharaja of Mysore, for information.

* No. 362-I dated 20th July 1925, from the Government of India, Foreign and Political Department.

.....

.....

28/31/7 5 3/25

James-Gordon

Major,
Secretary to the Resident.
SVR

PN

R. O. 106.—R. P. B.—7-1924.—2,000.

No.362-I.
Government of India,
Foreign and Political Department.

Simla, the 20th July 1925.

NOTIFICATION.

In exercise of the powers conferred by section 22 of the Indian Extradition Act, 1903 (XV of 1903), the Governor General in Council is pleased to make the following rule, namely:-

(1) In any proceedings against any person under the provisions of the Indian Extradition Act, 1903, or of any treaty for the extradition of offenders, the Magistrate acting in such proceedings and any police officer authorised to arrest such person under the provisions of the said Act or of such treaty, may exercise in any place in British India in respect of any property in the possession of such person or of any other person which appears to such Magistrate or police officer to have been the subject of or to be required for proof of the offence in respect of which the proceedings are being taken, the powers respectively of a Court and of an officer in charge of a police station under the Code of Criminal Procedure, 1898, as if such property were property the production of which is necessary for the purposes of any investigation or trial under the said Code by or before such Court or officer; and the provisions of the said Code, so far as they can be made applicable, shall apply to any summons or warrant issued in pursuance of this rule and to any search made under the authority of any warrant so issued and to the disposal of any property seized in any such search.

(2) Such Magistrate may send such property to the State to which such person is surrendered and shall have in respect of any such property produced before him in such proceedings or returned by the aforesaid State, all the powers of disposal vested in a Court under the Code of Criminal Procedure, 1898, in respect of any property produced before it during an inquiry or trial.

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"C O P Y"

REGISTRAR RESIDENT'S OFFICE

3

App.F.VI G1.] B650

SUBJECT

Diary No. of letter replied to

General and Revenue Secretariat
( )
, the 192

Date of issue 14/8/25

Signed by W.H. B.N

Section Cs
File No. 42-25
Serial No. 2

No. Pol 140

To The Secy to the Resident
Sec.

I am directed to acknowledge with thanks the receipt of a copy of Govt no 362-I & 20.7.1925 of the Govt of India Foreign and Political Department framing a rule as to seizure of property by the magistrate or Police Officer conducting enquiries Proceedings received with your endorsement no 6394/205-1504 & 20.7.1925.

List of enclosures Grave etc

Copied by

Examined by 5/8/25

over

App.F.VI-G1.] B650

SUBJECT

Section cb

File No. 42-25

Serial No. 3

Diary No. of letter replied to

Notification

1980

To

General and Revenue Secretariat

( )

, the 192

Date of issue 18/8/25

Signed by

The undermentioned notification of the Govt of India framing a rule under the Indian Extradition Act 1903 is published for general information

for Secy B. G

cancl 18/8 L. Library

(Here enter the rule).

To the compiler mss. for publication and for supply of 200 advance copies this office.

13/8/25

List of enclosures

Copied by

Examined by

over

17.8.25.

App.F.VI G1.] B650

SUBJECT

Section

File No. 42-25

Serial No. 4

Diary No. of letter replied to

No. 1360-9 (1)

To The Registrar, ... and Sessions Judge

Sir,

I am directed to forward herewith for your information a copy of notn no. 362-I dt. 20-7-1925 by the Govt. of India framing rules under section 22 of the Indian Extradition Act XV of 1903, re the seizure of property by the investigation officers.

General and Revenue Secretariat
( )
, the 192

Date of issue 3/9/25

Signed by

List of enclosures Memo etc

Copied by 31/8

Examined by 3/9/25

over